

MACOMB TOWNSHIP PLANNING COMMISSION  
MINUTES MEETING AND PUBLIC HEARING  
HELD TUESDAY, MAY 17, 2005  
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LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN  
DEAN AUSILIO, VICE-CHAIRMAN (Arrived 8:20 p.m.)  
MICHAEL D. KOEHS, SECRETARY  
MEMBERS: JOA PENZIEN  
CHARLES OLIVER  
DEBORAH ZOLNOSKI (Arrived 7:05 p.m.)

ABSENT: ARNOLD THOEL

ALSO PRESENT: Jerome R. Schmeiser, Community Planning Consultant  
Lawrence Dloski, Township Attorney  
(Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

1. Roll Call.

Clerk KOEHS called the roll call. Member THOEL absent. Member ZOLNOSKI present at 7:05 p.m. and Member AUSILIO present at 8:20 p.m. Quorum is present.

2. Approval of Agenda Items. (With any corrections)

**MOTION by OLIVER seconded by KOEHS to approve the agenda as amended.**

**MOTION carried.**

3. Approval of the May 3, 2005 previous Meeting Minutes

**MOTION by KOEHS seconded by OLIVER to approve the revised meeting minutes of May 3, 2005 as submitted.**

**MOTION carried.**

4. Consent Agenda Items:

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- A. **Extension of Site Condominium Development Plan; Regency Commerce Center, Phase II;** Located on the north side of 23 Mile Road, approximately ½ mile west of Romeo Plank Road; Antonio Cavaliere, Petitioner. Permanent Parcel No. 08-17-300-014.

**MOTION by OLIVER seconded by KOEHS to forward the recommendation to the Township Board of Trustees to approve the Extension of Time; Regency Commerce Center, Phase II for one year to expire June 11, 2006. Permanent Parcel No. 08-17-300-014.**

**MOTION carried.**

Addition:

- 4B. **Grand Opening – TCF Bank – Sunday, June 5, 2005 from 12:00 p.m. to 2:00 p.m.;** Address: 21890 23 Mile Road. Jennifer Cooper, Petitioner. Permanent Parcel No. 08-23-100-028

Jerome R. Schmeiser, Community Planning Consultant, discussed the proposal with Ms. Jennifer Cooper.

Petitioner Present: Jennifer Cooper

Public Portion None

**MOTION by OLIVER seconded by KOEHS to approve the request for the Grand Opening of TCF Bank scheduled for Sunday, June 5, 2005 from 12:00 p.m. to 2:00 p.m. allowing an on site Frog Bouncehouse (similar to a moonwalk) and a goofinologist (creates balloon animals). Bottled Water and frozen novelties (ice cream, sandwiches, ice cream bars and sundae cups) will be served inside the TCF Bank Branch. Permanent Parcel No. 08-23-100-028**

**MOTION carried.**

**AGENDA ITEMS:**

5. **Tentative Preliminary Plat; Char Estates Subdivision;** Located on the south side of 24 Mile Road, approximately 1½ miles east of Romeo Plank Road; Thomas Bernasconi Trust, Petitioner. Permanent Parcel No. 08-16-100-015.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Tom Bernasconi

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Public Portion:           None

**MOTION by OLIVER seconded by ZOLNOSKI to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Char Estates Subdivision; Permanent Parcel No. 08-16-100-015. It is recommended by the Planning Commission that the proprietor apply for a Zoning Board of Appeals variance for the park area to be shared between Lots 17 and 18. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

- 1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;**
  - a. Macomb County Road Commission**
  - b. Office of Public Works Commission of Macomb County**
  - c. Macomb County Health Department**
  - d. Macomb County Planning Commission**
  - e. Michigan Department of Environmental Quality**
  - f. All public utility companies affected.**
  - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.**
- 2. The Township Engineer approves all engineering plans for the computed plat.**
- 3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**
- 4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.**
- 5. That all public street drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.**
- 6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.**

7. **Flood Plain Map Amendments and/or Requirements.** Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the "20 foot common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Ordinance of Macomb Township. A plan for the area must be prepared by a register landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
10. That a bond in the amount to be determined by the Township Consulting Engineer be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat. (Not applicable)
11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.
12. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after the final preliminary plat approval by the Township Board.
13. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plat. The Restrictive Covenants must include an article to provide for the perpetual maintenance of all limited common areas that may

**include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.**

- 14. If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.**
- 15. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.**

**In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.**

**This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.**

- 16. That entrance signs are NOT part of this review.**
- 17. It is recommended by the Planning Commission that you apply for a Zoning Board of Appeals variance for the park area to be shared between Lots 17 and 18.**

**MOTION carried.**

- 6. Land Division Variance; Wexford Meadows Subdivision (§ 17-132 (h), long cul-de-sac and §17-132 (d) elimination of stub street); Located on the east side of Heydenreich Road, approximately ½ mile south of 22 Mile Road; Joe VanHaverbeck, Petitioner. Permanent Parcel No. 08-27-100-034.**

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Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner: The Planning Commission did not request for the petitioner to identify their presence.

Public Portion: None

**MOTION by KOEHS seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Land Division Variance; Wexford Meadows Subdivision (§ 17-132 (h), long cul-de-sac and §17-132 (d) elimination of stub street); Permanent Parcel No. 08-27-100-034. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

**That Section 17-132(d) be granted to eliminate the stub street to the south.**

**That Section 17-138(h) be granted to create a cul-de-sac of 840 feet.**

**MOTION carried.**

7. **Tentative Preliminary Plat; Wexford Meadows Subdivision;** Located on the east side of Heydenreich Road, approximately ½ mile south of 22 Mile Road; Joe VanHaverbeck, Petitioner. Permanent Parcel No. 08-27-100-034.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner: The Planning Commission did not request for the petitioner to identify their presence.

Public Portion: David Gregory, Township resident, opposed to the proposal, addressed his concerns regarding future traffic hazards.

**MOTION by KOEHS seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Wexford Meadows Subdivision. Permanent Parcel No. 08-27-100-034. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

1. **The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;**

- a. **Macomb County Road Commission**

- b. Office of Public Works Commission of Macomb County**
  - c. Macomb County Health Department**
  - d. Macomb County Planning Commission**
  - e. Michigan Department of Environmental Quality**
  - f. All public utility companies affected.**
  - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.**
- 2. The Township Engineer approves all engineering plans for the computed plat.**
- 3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**
- 4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval shall be incorporated into the Final Preliminary Plat.**
- 5. That all public street drain crossing within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.**
- 6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.**
- 7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.**
- 8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.**
- 9. That the “20 ft. common area for landscaping purposes” be developed in accordance with the provisions of the Land Division Ordinance of Macomb**

- Township. A plan for the area must be prepared by a registered landscape architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.**
- 10. That a bond in an amount determined by the estimates prepared by a registered landscape architect and approved by the Township Consulting Engineer be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.**
  - 11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.**
  - 12. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after the final preliminary plat approval by the Township Board.**
  - 13. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plat. The Restrictive Covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.**
  - 14. If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.**
  - 15. That the petitioner understands that if the property(ies) involved in this application are not yet split or combines into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including**



**any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearing involving variance requests.**

**MOTION carried.**

8. **Land Division Variance; Bridgewater Estates Site Condominium (§17-132(d), elimination of stub streets);** Located on the south side of 24 Mile, approximately ¼ mile east of Romeo Plank Road; MSC Land Development, Petitioner. Permanent Parcel Nos. 08-17-252-011 and 08-17-201-002.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Stacy Cerget

Public Portion: None

**MOTION by KOEHS seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Land Division Variance for Bridgewater Estates Site Condominium Section 17-132(d) to eliminate the southern most stub street to the property to the east and recommend denial of Section 17-132(d) to eliminate the northern most stub street to the property to the east. Permanent Parcel Nos. 08-17-252-011 and 08-17-201-002. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

**It is recommended that the stub street to the north be retained as requested by the Chippewa Valley School District. With respect to the southernmost stub street, it is recommended that the request to eliminate that access point be approved. However, it is noted that on the petitioner's sketch, the easterly edge of the proposed cul-de-sac is tangent with their east property line. It is recommended that the variance be conditioned on the cul-de-sac being pulled back a minimum of 120' from the east property line in order to provide for a properly located cul-de-sac. The tangent would allow an access from the street to the school site which should not be approved.**

**MOTION carried.**

9. **Temporary Builder Sign; Windemere Farms Condominiums;** Located on the east side of Heydenreich Road, approximately ¼ mile north of Hall Road; GTR Windemere, Inc., Petitioner. Permanent Parcel No. 08-34-300-022.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

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Petitioner Present: Petitioners name was not stated

Public Portion: None

**MOTION by OLIVER seconded by ZOLNOSKI to approve the Temporary Builder Sign; Windemere Farms Condominiums for one year. Permanent Parcel No. 08-34-300-022. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

- 0. That Section 10.0319 of the Zoning Ordinance be met.**
- 0. That the ground sign be limited to 32 square feet.**
- 0. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.**

**MOTION carried.**

- 10. Temporary Builder Sign; Woodberry Estates Condominiums II; Located on the north side of 21 Mile, approximately ½ mile east of Card Road; Columbia Homes, LLC, Petitioner. Permanent Parcel No. 08-26-351-014.**

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Petitioners name was not stated

Public Portion: None

**MOTION by ZOLNOSKI seconded by KOEHS to approve the Temporary Builder Sign; Woodberry Estates Condominiums II for one year. Permanent Parcel No. 08-26-351-014. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

- 0. That Section 10.0319 of the Zoning Ordinance be met.**
- 0. That the ground sign be limited to 32 square feet.**
- 0. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.**

**MOTION carried.**

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11. **Tentative Preliminary Plat (Revised); Wolverine Country Club Subdivision;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

The Planning Commission removed this matter from the agenda at the direction of legal counsel.

12. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase I;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

The Planning Commission removed this matter from the agenda at the direction of legal counsel.

13. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase II;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

The Planning Commission removed this matter from the agenda at the direction of legal counsel.

14. **Final Preliminary Plat; Wolverine Country Club Subdivision Phase III;** Located on the north side of 25 Mile Road, between Romeo Plank and Luchtman Roads; Wolverine 25 Mile LLC, Petitioner. Permanent Parcel No. 08-05-400-028.

The Planning Commission removed this matter from the agenda at the direction of legal counsel.

15. **Temporary Builder Sign; Villagio Subdivision;** Located on the southwest corner of 26 Mile and Romeo Plank Roads; Masters of Macomb Dev. Co., Petitioner. Permanent Parcel No. 08-06-200-046.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Name was not stated

Public Portion: None

**MOTION by PENZIEN seconded by KOEHS to approve the Temporary Builder Sign; Villagio Subdivision for one year. Permanent Parcel No. 08-06-200-046. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

- 1. That Section 10.0319 of the Zoning Ordinance be met.**
- 1. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.**
- 3. Revised plans be submitted indicating the proper set backs from the rights of way.**

**The Consultant suggests that a \$500.00 bond be posted assuring the construction of a sign as approved. Upon receipt by the petitioner for a final inspection and subsequent approval by the Building Department the bond can be released.**

**MOTION carried.**

- 16. Special Land Use & Revised Site Plan, Ground Sign; Little Caesars at Mobil Mart; Located on the southeast corner of 21 Mile and North Avenue; Eddie Jawad, Petitioner. Permanent Parcel No. 08-36-101-009.**

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Frank Crum, Eddie Jawad, Victor Slambrouck, Michael Hashton and Charles Jones

Public Portion: None

Mr. Lawrence Dloski, Township Attorney, reviewed that as a condition of special land use approval this petitioner, as well as any other petitioner in the Township of Macomb, is required to sign a Notice of Special Land Use Approval which contains all of the conditions upon which the special land use has been granted. That notice is then recorded with the Macomb County Register of Deeds. It serves as notice to any prospective purchasers that there is a special land use on this property and that there are certain conditions that the special land use must comply with.

**MOTION by KOEHS seconded by OLIVER to approve the Special Land Use “Little Caesars at Mobil Mart” provided, that the petitioner signs a notice of special land use as indicated by the Township Attorney and that all of the extra conditions besides the standard conditions be included. Permanent Parcel No. 08-36-101-009.**

**This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

- 1. The proposed Special Land Use (carry out restaurant) would be, with respect to location, size and character, harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall be in compliance with the applicable regulations of the zoning district in which it is to be located.**
- 2. The proposed use would be of such nature that vehicular and pedestrian traffic would not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing.**
- 3. The proposed use has been designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed use, to eliminate any possible nuisance emanating therefrom which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to others.**
- 4. The proposed use would be such that the proposed location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping, should not interfere with or discourage the appropriate development and use of adjacent land and buildings, or unreasonably affect the value of the land and/or buildings.**
- 5. The proposed use would relate harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.**
- 6. The proposed use is necessary for the public convenience at the proposed location.**
- 7. The proposed use has been so designed, located and planned, and shall be operated in such a manner that the public health, safety and welfare will be protected.**
- 8. The proposed should not be detrimental or injurious to the neighborhood within which it is to be located, nor shall such use operate as a deterrent to**

**future land uses permitted within said zoning district, and such use should be in harmony with the general purpose and intent of the Zoning Ordinance.**

**Further, the special land use request shall be conditioned on the following:**

- . There will be no outside sales or display of any goods or items anywhere on the property, or any provision for outside eating, such as tables, chairs or benches without consideration via a special land use permit.**
- . That the canopy lighting be changed to provide for flat lenses only.**
- . That the signage on the property be limited to 32 sq. feet per use including the gas station and store, the oil lube store, the cellular store, the auto maintenance store, the car wash, and Little Caesars carryout restaurant.**

**MOTION by KOEHS seconded by OLIVER to approve the Revised Site Plan, Ground Sign; Little Caesars at Mobil Mart; Permanent Parcel No. 08-36-101-009. This motion is pursuant to fulfilling the Standard Conditions of the Planning Consultants as follows:**

- 1.. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
- 2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.**
- 3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.**
- 4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County**

**Road Commission, Michigan Department of Transportation, and the Township Engineer**

5. **Sidewalks to be provided to the satisfaction of the Township Engineer.**
6. **Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.**
7. **That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
8. **An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount to be approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
9. **The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.**
10. **That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).**
11. **That all signs be designated on the site plan and meet the Township requirements.**
12. **That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.**
13. **MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek**

**and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.**

- 14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.**
- 15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.**
- 16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.**
- 17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.**
- 18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.**
- 19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.**
- 20. That all requirements of the Zoning Ordinance be met.**
- 21. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.**
- 22. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no light or glare from lights will shine into the abutting residential areas.**



27. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

24. That all of the conditions of the special land use permit be met prior to the issuance of building permits for the Little Caesars carryout restaurant including but not limited to:
- . There will be no outside sales or display of any goods or items anywhere on the property, or any provision for outside eating, such as tables, chairs or benches without consideration via a special land use permit.
  - b. That the canopy lighting be changed to provide for flat lenses only.
  - c. That the signage on the property be limited to 32 sq. feet per use including the gas station and store, the oil lube store, the cellular store, the auto maintenance store, the car wash, and Little Caesars carryout restaurant.

**MOTION carried.**

17. **Revised Site Plan; Highland Hills Condominiums III;** Located on the west side of Romeo Plank Road, approximately ½ mile north of 22 Mile Road; Highland Hills Development, Petitioner. Permanent Parcel No. 08-20-200-035.

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This matter was tabled to the Planning Commission Meeting of June 21, 2005 at the petitioners request.

**PLANNING CONSULTANTS COMMENTS:**

Addition:

17A. Proposed Amendments to the Master Plan

Jerome R. Schmeiser, Community Planning Consultant, reviewed the action taken at the May 11, 2005 Township Board of Trustees Meeting to authorize the Planning Commission to begin the process of amending the Master Plan regarding the residential densities of sections 2 & 3 of the Township and to authorize the Planning Commission to begin the process to revise the Township Zoning Ordinance to reflect more precisely the density descriptions in all residential areas.

**PLANNING COMMISSION COMMENTS:**

Member AUSILIO apologized for his tardiness and commended the Township on Macomb Corners Park. The little league team in which he manages has enjoyed the ball fields.

18. Motion to receive and file all correspondence in connection with this agenda.

**MOTION by PENZIEN seconded by AUSILIO to receive and file all correspondence in connection with this agenda.**

**MOTION carried.**

**ADJOURNMENT:**

**MOTION by KOEHS seconded by AUSILIO to adjourn the meeting at 8:26 p.m.**

**MOTION carried.**

Respectfully submitted,

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Edward Gallagher, Chairman

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Michael D. Koehs, CMC  
Macomb Township Clerk  
MDK/gmb

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